

HR Weekly Podcast  
July 1, 2015

Today is July 1, 2015 and welcome to the HR Weekly Podcast from the State Human Resources Division. This week's podcast discusses the fiscal year 2014 data regarding workplace discrimination recently released from the United States Equal Employment Opportunity Commission, or EEOC.

The EEOC reports receiving 88,778 workplace discrimination charges from the private sector during the last fiscal year. This is an overall decrease as compared to recent years. The EEOC credits the government shutdown, which occurred during this report period, as a possible reason for the decrease.

The breakdown of the bases for the discrimination charges alleged is as follows:

- Retaliation under all statutes: 37,955 (42.8%)
- Race: 31,073 (35%)
- Sex: 26,027 (29.3%)
- Disability: 25,369 (28.6%)
- Age: 20,588 (23.2%)
- National Origin: 9,579 (10.8%)
- Religion: 3,549 (4%)
- Color: 2,756 (3.1%)
- Equal Pay Act: 938 (1.1%) \*note sex-based wage discrimination may also be charged under Title VII's sex discrimination provision
- Genetic Information Non-Discrimination Act: 333 (.4%)

According to the EEOC, these percentages add up to more than 100% because some charges allege multiple discrimination bases.

In response to the statistics, the law firm of Olgetree Deakins published an article, "EEOC FY 2014 Statistics Are Here: What Do They Mean for Employers?" The author, Evan J. Shenkman, offers several key takeaways for employers:

- Provide sufficient training on retaliation as this is the most prevalent bases claimed. The training should include that, even if an employee's complaint is unfounded, retaliation is unlawful.
- Periodic harassment training is critical since those charges are some of the most difficult to dismiss for lack of probable cause.
- Have all advertisements, testing, employee waivers, and early retirement programs reviewed by HR or Legal to ensure they are without age or gender bias, as claims related to these initiatives are on the rise.
- Finally, employers should compare their own internal statistics to evaluate any additional areas where training or action may be needed as well.

The entire EEOC fiscal year 2014 statistics as well as prior history can be found on the [EEOC's website](#). Thank you.